

REMARKS

Rejection Summary

Claims 16 – 26 have been rejected for non statutory Obviousness-type Double patenting.

Applicant respectfully traverses all the outstanding rejections and requests reconsideration and withdrawal thereof in view of the following remarks.

Claim Rejections based on obviousness type double patenting

The Office rejects claims 16 - 26 on the ground of non-statutory obviousness-type double patenting as allegedly being unpatentable over claim 1-21 of commonly owned U.S. Patent No. 7,130,610.

Although Applicants do not necessarily agree with the merits of this rejection, in an effort to expedite prosecution of this application, Applicants submit a terminal disclaimer herewith thereby rendering this rejection moot.

Reconsideration in view of the above amendments and the following remarks is respectfully requested.

Claim 1-15 have been canceled. Claims 16 – 26 have been allowed.

Therefore, Applicants respectfully submit that independent claims 16 and 25 define patentable subject matter. The remaining claims depend from the independent claims and therefore also define patentable subject matter. Accordingly, Applicants respectfully request the withdrawal of the non statutory obvious-type double patenting rejections.

CONCLUSION

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. Also, no amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

Respectfully submitted,

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